

**Written Testimony on Senate Bill 444**  
to  
**Committee on Education**  
by  
Sarah Walters, Program Coordinator  
Part C Infant-Toddler Services  
Kansas Department of Health & Environment

Chairman Abrams and members of the Committee, the Kansas Department of Health and Environment (KDHE) appreciates the opportunity to provide written testimony on Senate Bill (SB) 444.

SB 444 establishes a language assessment program to assess, monitor, and track language developmental milestones of children who are deaf or hard of hearing from birth to 8 years of age. The program is to be administered by the Kansas Commission for the Deaf and Hard of Hearing (KCDHH) and assessments provided by the early intervention services administered by the KDHE Part C program and school districts.

This bill recognizes the importance of language development for children who are deaf and hard of hearing through the provision of ongoing language assessment for young children. This is aligned with the role of the Department through the purpose of the Part C program, to provide early intervention services under the Individuals with Disabilities Education Act (IDEA).

Part C early intervention services are available to all Kansas families with infants or toddlers, from birth to 3 years of age, who have developmental delays or disabilities, including those who are deaf or hard of hearing. Families are referred to a local program when a child is at risk for, exhibits concerns of a disability, or experiences delays in achieving developmental milestones. Families and professionals work as a team to determine eligibility, define priorities, identify available resources, and discuss the child's strengths and needs. The family, along with an assessment and evaluation team from the local program, devises a plan for ongoing assessment and development through an Individualized Family Service Plan (IFSP). The intent is to equip the family with the tools necessary to direct their child's care and identify the collaborative network of people to help them achieve their goals and reach the highest level of development possible.

While the bill does emphasize the value of ongoing quality improvement and reporting of assessment data, it appears to be duplicative of existing local programs data requirements. Federal and state regulations require ongoing assessment and reporting of developmental progress through the periodic review and updating of the IFSP and Early Childhood Outcomes.

A key principle of early intervention services is that services are dynamic and individualized, reflecting the child's and family member preferences, learning styles, and cultural beliefs. The bill does not take into account assessments of children who are deaf or hard of hearing who also experience other disabilities.

The bill does not clarify the exact population of children who are deaf and hard of hearing to be assessed under this bill, beyond age. There are varying levels of hearing loss, as well as those who do not select ASL or English as their primary mode for communication. According to the SoundBeginnings Newborn Hearing Screening program, approximately 65 infants per year identified through the screening program have some degree of

hearing loss. The number of children identified with hearing loss by sources outside of the newborn hearing screen is unknown.

Meeting the intent of the proposed legislation would require significant workforce development, including training and recruitment of qualified professionals and licensure or certification standards. The bill does not take into account the lack of personnel in the state available to administer the program according to the requirements or a plan for how to address the workforce capacity shortage. For example, the bill requires language assessments to be administered by individuals who are proficient in ASL and English. Currently there are courses related to signed language and deaf culture available at Kansas higher-education establishments<sup>1</sup>, as well as community classes to learn ASL. Additionally, there is a certification process to become an American Sign Language interpreter. However, higher level courses specifically around sign language linguistics, which is necessary to effectively assess ASL as a language, are non-existent in Kansas higher-education. Information provided by the Kansas School for the Deaf indicates there are only four known professionals that meet these requirements in Kansas who also have the skills and knowledge to assess children ages birth to five. All are full-time teachers or substitutes at the Kansas School for the Deaf.<sup>2</sup>

This bill would also require additional training and staff time at the local level such as:

- training or utilizing service providers fluent in ASL, English literacy, spoken English, and visual supplements;
- training or certification process to assure service providers are qualified, as determined by the advisory committee, to specifically assess infants and toddlers language development; and
- staffing to address the increased time spent administering assessments, interpreting results, writing reports entering data.

In conclusion, the Department supports ongoing language assessment of children birth through 8 years of age as it does through the administration of the Part C program, the principal provider of these services to children birth to three who are deaf or hard of hearing. It is encouraged that the Committee consider the potential issues described, including duplication of services and reporting already in place for these children under the Individuals with Disabilities Act (IDEA). Most importantly, the creation of a second system of assessment and evaluation for any one child may cause confusion among families and prove to be cost prohibitive for the state early intervention system.

Thank you for the opportunity to provide written comments on this bill.

---

<sup>1</sup> The University of Kansas and Wichita State University have ASL course curriculum that is offered. However, both offer as electives within the Special Education program and nothing indicates if all available coursework provides the necessary education to become a certified interpreter. There are no classes on Sign Language Linguistics (as indicated is necessary by Kansas School for the Deaf). <http://catalog.ku.edu/education/special-education/special-education.pdf> and <http://webs.wichita.edu/?u=c&sd&p=/undergraduate/signlanguage/>

<sup>2</sup> According to information from the Kansas School for the Deaf (KSD), three KSD teachers have Early Childhood Handicapped licenses and one has an Early Childhood Unified license. Technically, they are qualified to teach children who are Deaf or Hard of Hearing (D/HH) birth-5. Additionally, the teacher with EC Unified can teach up to kindergarten age. The question remains as to whether or not these teachers are qualified to assess ASL. In order for anyone who is qualified to assess ASL as a language will need training in ASL linguistics.